

allows all of our people, regardless of their race, gender, creed, color, or background the opportunity to succeed or fail. And it ensures for us that unique expression “only in America” is not just a refrain from the past but an anthem for the future.

Can you imagine the tragedy if the downfall of the American experiment was caused by a failure of this Congress to control its spending? The challenge of this generation is before you and it is not beyond your grasp. There is nothing we as Americans cannot do. We have fought imperial Japan and Nazi Germany at the same time and beaten both. We have put a man on the Moon. We have mapped the human genome. And in the spare bedrooms and garages and dorm rooms of our people, our citizens have created the greatest inventions and the greatest businesses the world has ever known, which have employed millions of people and allowed them to pursue their dreams, all in the freest and most open society in the history of man.

We are that shining city on the hill. We are that beacon of freedom. We are that last best hope for mankind upon which God has shed his grace.

President Theodore Roosevelt said that one of the greatest gifts that life has to offer is the opportunity to do work that is worth doing. I can't think of a greater gift than the work that lies before you: righteous in its cause, noble in its purpose, and essential for the prosperity of our people.

I will always cherish the relationships I have gained here and the work we have done together. God bless you, God bless the U.S. Senate, and God bless our great country.

I yield the floor.

## RECESS

The PRESIDENT pro tempore. The Senate stands in recess until 2:30 p.m.

Thereupon, the Senate, at 12:49 p.m., recessed until 2:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. BEGICH).

## IMPEACHMENT OF JUDGE G. THOMAS PORTEOUS, JR.—Continued

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 7]

Akaka	Coburn	Hatch
Alexander	Cochran	Inouye
Barrasso	Collins	Isakson
Begich	Crapo	Johanns
Bennet	Dorgan	Klobuchar
Bennett	Durbin	Kyl
Bingaman	Enzi	Leahy
Bond	Feingold	Levin
Brown (OH)	Franken	Lugar
Burr	Grassley	McCain
Cantwell	Gregg	McCaskill
Cardin	Hagan	Merkley

Mikulski	Sessions	Udall (NM)
Murray	Shaheen	Vitter
Nelson (NE)	Shelby	Voinovich
Nelson (FL)	Snowe	Warner
Pryor	Specter	Webb
Reed	Stabenow	Whitehouse
Reid	Udall (CO)	Wyden

Mr. REID addressed the Chair.

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, is a quorum present?

The PRESIDENT pro tempore. A quorum is present.

The Senate will resume consideration of the Articles of Impeachment against Judge G. Thomas Porteous, Jr.

The Chair understands that final arguments for the House on the Articles of Impeachment will be presented by Representative SCHIFF and Representative GOODLATTE. Mr. SCHIFF has asked to speak first. Mr. SCHIFF, do you wish to reserve time for closing, and, if so, how much time?

Mr. Manager SCHIFF. Mr. President, if it is permitted, after I make some brief introductory remarks, I will turn it over to my colleague, Mr. GOODLATTE, to speak. When he is finished speaking, we would like to reserve the balance of our time unless we are required to set that up in advance.

The PRESIDENT pro tempore. You may proceed.

Mr. Manager SCHIFF. Mr. President and Members of the Senate, this is a case about a State court judge from Gretna, LA, who had a gambling problem and a drinking problem, and as a result of both of those problems also had serious financial problems. He was constantly short of money.

This judge entered into a corrupt scheme with lawyers and bail bondsmen who could help him lead a lifestyle he could not otherwise afford. He sent the lawyers cases. They kicked back money from those cases to the judge, and they paid for many of his meals, his liquor, his parties, even some of his son's expenses.

He set bonds for the bail bondsmen at the amounts that would maximize their profits. He expunged the convictions of their employees, and they also paid for many of his meals, his trips, his home repairs, his car repairs, and lavish gifts.

The White House was not aware of this corrupt activity and nominated the judge to the Federal bench. The judge misled the Senate about his background, concealed the kickbacks and graft, waited until after his confirmation hearing but before he was sworn in to expunge the conviction of another bail bond employee, and falsely told the Senate that there was nothing in his background that would adversely affect his confirmation.

Unaware of what the judge had been engaged in, he was confirmed. The very reason why the information sought by the Senate was so material—whether he had a drinking problem; whether he had a gambling problem; whether he lived beyond his means; whether he had engaged in conduct that would make

him the subject of compromise or coercion—was to prevent the damage to the institution of the judiciary that would be caused by putting a corrupt man on the bench.

What happened when the judge took the Federal bench was all but predictable: The corruption continued. The judge declares bankruptcy; he files with a false name and signs under penalty of perjury; he hides assets; falsely states his income; secretly takes out a new credit card; violates the bankruptcy court order by incurring new debt; he files false judicial financial disclosures stating that he has no more than \$30,000 worth of credit card debt when he owes over \$100,000 on his credit cards; and, most pernicious to the interests of his creditors, he keeps on gambling.

The judge is assigned a complex case and a trial that has been years in the making, pitting a hospital against a pharmacy, and worth many tens of millions of dollars. Six weeks before trial, one of the lawyers who had been paying him kickbacks in the State court is brought in at the last minute to represent the pharmacy.

The hospital smells a rat. They do not know about the kickbacks, but they are suspicious about why an attorney with no experience in the case or complex bankruptcy litigation would be brought in. So they ask around, and they do not like what they hear. They ask the judge to recuse himself and he refuses, falsely representing that he never received money from the attorneys but once, and even that was only a campaign contribution that went to all of the judges of that parish.

The case goes to trial, and is taken under submission by the judge. While he is considering how to rule, he goes fishing with the lawyer who paid him the kickbacks and hits him up for \$2,000 more in cash. The two partners at the law firm put the cash in an envelope, and the judge sends his secretary to pick it up. At the law firm, the judge's secretary asks: What is in the envelope? The lawyers' secretary rolls her eyes. “Never mind,” the judge's secretary says, “I don't want to know.”

The relationship with the bail bondsman is not over either. He can no longer set bonds for them, but he can help them recruit other judges who will step into his shoes by vouching for their character, by bringing them together, and he does. And now we are here.

Everyone around the judge has fallen. The bondsmen have gone to jail. The other State judges he helped recruit have also gone to jail. The lawyers who gave him the cash have lost their licenses and given up their practices. Most of all, the institution itself has suffered greatly. Litigants and the public in New Orleans wonder, in seeing the example of this judge, whether they too must pay a judge in cash and under the table, do the home or car repairs or other favors for the judge to